

THE COURTS.

THE COMPLAINANT DISMISSED.

A LAWYER UNSUCCESSFUL IN HIS SUIT FOR FEES
In the Supreme Court in Kings County against Samuel Wood and others to compel a partition of certain real estate belonging to the husband of Abraham Wood, deceased, and Samuel Wood, Samuel Wood, although nominally the defendant, was in reality prosecuting the actions, and paid the expenses in bringing the action "to test the validity of the will of Abraham Wood." A verdict was rendered upholding the will, and an appeal was taken to General Term, but the Court of Appeals gave it a new trial. The suit was transferred to New York County, and after a trial by jury the validity of the will was again established. An appeal was taken to the General Term, but at this stage in the proceedings Justice G. Clapp was substituted in the place of the plaintiff's attorney.

Mr. Chaffield brought a suit in 1877 in the Court of Appeals for \$5,000 in legal services rendered in the action, and based his claim upon a contract alleged to have been made by him with Samuel Wood. Mr. Chaffield did not conduct the litigation for the plaintiff, however, but the attorney who brought about a settlement and abandoned the appeal. He claims that his contract with Mr. Wood was to manage the suit until a complete determination of the controversy, and that his determination was effected. The executors of Mr. Wood agree in their answer that under the contract with Mr. Wood, Mr. Chaffield was to receive \$2,500 for the preparation of the case, and \$2,500 for services upon a new trial if one became necessary. It is further set forth in the answer that Mr. Chaffield, without the knowledge or assent of the client, discontinued the suit in consideration of \$1,500 to release from the operation of the appeal two valuable pieces of real property, and that he actually received under this arrangement \$1,500. The court adjourned the trial to January 10, and yesterday the complaint was dismissed. Judge Van Rensselaer held that there was no conflict in the evidence in regard to the agreement by Mr. Chaffield to prosecute the case, and that his abandonment of the suit was a violation of his part of the contract for services with Mr. Wood, and therefore that he could not recover under it. H. S. Chaffield appeared for the plaintiff with A. J. Van Pelt as counsel, and Edward Edwards for the defendants with H. C. Choate and E. T. Slocum as counsels.

INJURED BY A FORCIBLE EJECTION.

A suit to recover \$25,000 damages for assault and battery, brought by Mrs. Henrietta Deputy against William H. Hazard, formerly Commissioner of City Works in Brooklyn, came to trial before Judge Reynolds, in the City Court in Brooklyn, yesterday. The plaintiff, a handsome young woman, was carried into the Court-room, and gave her testimony in a dignified manner. She was born in Hazen, N. Y., in June, 1850, to see him in relation to her husband's business, in company with her father. Her husband, David Deputy, was a cousin of Mr. Hazard, and she had been married to him in 1850. She presented a letter written by her husband to his pack of lies, and said that if he had come there in person he (Mr. Hazard) would have horsewhipped him. She pointed to the marks on her back, and said that the next day she had a severe pain in the back. Her physician, Dr. Casey, and said that her spine was seriously injured. She had never walked since. The trial was adjourned until to-morrow.

In the afternoon, the complainant, Mr. Hazard, admitted to Mrs. Deputy from the house, but claims to have only employed gentle means in doing so.

LIABILITY OF A COLLECTOR.

David H. Dunham placed for collection in 1872 four promissory notes, made by McNeil & Burke in the hands of Samuel B. Mower and J. Bouton Crosby, whom at that time conducted a collection agency. Mr. Mower employed an attorney in Providence, R. I., who brought suit on the notes and recovered a judgment for \$6,557.79. Mr. Dunham learned in 1877 that Mr. Burke had gone to Boston, and requested Mr. Mower to employ a lawyer to sue him. The attorney retained by Mr. Burke, Mr. Squier, succeeded, after some delay, in effecting a compromise of the claim for \$2,000. Mr. Squier subsequently called on Mr. Dunham, and advised him to sue Mr. Burke, telling him that he had been paid \$2,000, and that in going to the bank to purchase a check on New York for the amount it had been stated to be of \$2,000. Mr. Dunham, however, brought suit on the same note against Mr. Mower for the amount collected by Mr. Squier, less 10 per cent commission. Judge Speir yesterday rendered a decision in the case, in which he held that Mr. Dunham was entitled to sue Mr. Burke. The question now is, whether the question whether Mr. Squier was the agent of Dunham or of Mower. The Court held that, inasmuch as Mower's business was that of a collecting agent, he must be considered as having undertaken personally to collect the money, and to be responsible for the negligence of any agent employed by him.

SEEKING TO RECOVER HIS INHERITANCE.

Justice F. Sherman Smith, in the Jefferson Market Police Court, on December 2 issued a warrant for the arrest of Charles J. Eulid on the complaint of his brother, Henry C. Child, of No. 73 West 12th st. The latter in his affidavit declared that his brother was one of the executors of the will of Alonso Child, and that he had failed to account to him for money due him under the will, and had embezzled the same. Yesterday Henry Child was arrested, and committed to jail by Justice E. L. Smith, in the Essex Market Police Court, and the defendant was present with counsel. The complaint asserted that on March 29, 1880, by a decree issued in the Probate Court, the estate of Alonso Child was to be paid to his brother Henry \$282 28; that he had refused to obey the order, although often requested to do so, and that he had converted the money to his own use. The date of the alleged misappropriation was not stated, but it is inferred to be the date of the decree, or a day subsequent to the filing of the complaint on the ground that if the alleged offence was committed before May 2, 1877, there could be no action. His motion was granted.

CIVIL NOTES.

The trial of the suit of William Turnbull and others against Stephen H. Turnbull, in the Supreme Court, was closed yesterday, but the jury failed to agree. The action was brought by William Turnbull and two brothers and sisters, and the suit was for a permanent sum. Address: JOHN GARRY, 404 East 12th st., City. Porter & St. John, attorneys.

RIVER.—By a respectable German-American, aged 26, as driver of a boat, thoroughly having knowledge of the river as a driver. I am temperate and reliable, and have good references. Address: G. E. NICHOLS, 181 Bowery, City.

CLERK OR ACCOUNTANT.—By a respectable young man who has had a college education, age 20, American, possessed of good habits; best of references. Address: J. B. M., Tribune Office.

RIVER.—An driver of a delivery or express wagon, am 20, and a good driver. I am temperate and reliable, and have good references. Address: G. E. NICHOLS, 181 Bowery, City.

CLERK.—By an intelligent young American (18), can write a fair hand and is a good accountant; is temperate, and has good references. Address: G. E. NICHOLS, 181 Bowery, City.

DISTRICT ATTORNEY.—By a respectable young man, 25, who has had a college education, and is a good accountant; is temperate and reliable, and has good references. Address: G. E. NICHOLS, 181 Bowery, City.

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